

Master Plan Map Comments for
Planning District 9

Order:

- a. Submitted in Numerical Order (PD X – X.R)
- b. Staff Recommendation(s) in Numerical Order
(PD X- X)
- c. Multiple Amendments

PD 9-3R

Paul Cramer

From: Nate Gaarder [pontchartrainlanding@yahoo.com]
Sent: Monday, October 31, 2011 10:05 PM
To: Yolanda W. Rodriguez
Cc: Paul Cramer
Subject: FLUM Changes.

Date

Yolanda Rodriguez
Executive Director
City Planning Commission

Dear Ms. Rodriguez,

Please approve Master Plan Amendment Applications #PD6-3R and #PD9-3R. I Nate Gaarder am in favor of the text and FLUM changes as stated from Industrial to proposed Mixed-Use Maritime Industrial.

We support having a community development that provides services and recreational use to both our citizens and visitors. With the closing of MRGO and the new flood protection I believe this proposed zoning will provide an improved quality of life to our area and will be a catalyst for sustainable economic growth.

Thank you for your consideration of this request.

Sincerely,

Nate Gaarder

11/1/2011

PD9-3R

Paul Cramer

From: scott [Scott@pontchartrainlanding.com]

Sent: Tuesday, November 01, 2011 8:53 AM

To: Yolanda W. Rodriguez

Cc: Paul Cramer

Subject: Master Plan Amendment Applications PDY-3R and PD9-3R

Please approve Master Plan Amendment Applications #PD6-3R and #PD9-3R. I am in favor of the text and FLUM changes as stated from Industrial to proposed Mixed-Use Maritime Industrial. I believe this will favorably affect our entire Gentilly community in the years to come.

Scott Schenck
Pontchartrain Landing RV Park and Marina
Gentilly



Anthony P. Lorino
Senior Vice President for Operations
and Chief Financial Officer

January 31, 2012

City Planning Commission
1340 Poydras Street, 9th Floor
New Orleans, LA 70112
Attn: Paul Cramer (pcramer@nola.gov)

Re: Tulane University Response to City Planning Staff Draft Report on 2011 Master Plan Amendments

Ladies and Gentlemen:

Tulane University ("Tulane") submitted several amendment requests regarding both the text of the City of New Orleans Master Plan (the "Master Plan") and the Master Plan's Future Land Use Maps (each a "FLUM"). Tulane has reviewed the draft staff report of the City Planning Commission (the "Staff Report") that analyzes Tulane's requested amendments and offers the following comments in response.

TEXT AMENDMENTS

With respect to Tulane's eight requested Master Plan text amendment proposals, which are encompassed by Text Amendment 14 (proposals 14.1 to 14.8), the Staff Report generally recommends adopting Tulane's proposed text changes, either as submitted or with minor modifications. Tulane concurs with the recommendations in the Staff Report and requests that the City Planning Commission adopt the requested text amendments as modified in the Staff Report.

FLUM AMENDMENTS

The Staff Report recommends adoption of the following map amendments requested by Tulane: PD 1-3.R; PD 2-6.R; PD 3 - 7.1.R; PD 3 - 7.2.R; and PD 3 - 7.6.R. Tulane concurs with those recommendations in the Staff Report and requests that the City Planning Commission adopt those requested FLUM amendments.

With regard to the FLUM amendment requests described below, however, Tulane objects to the recommendations set forth in the Staff Report.

Tulane University Square (PD 3 - Items 7.14.R and 7.15.R)

Tulane acquired the Uptown Square property in 2001. At the time Tulane acquired the property, it was zoned as C-2, a commercial zoning designation that permitted high density mixed use

development with no height limit. Tulane acquired the Uptown Square property because it was a large, contiguous property, with ample room for redevelopment, and most importantly, the property was appropriately zoned for Tulane's intended use. But for the zoning, Tulane would not have purchased the property.

Following a number of interim measures, Tulane obtained City Council approval in May 2004 of a conditional use permit for Uptown Square that permitted high density mixed use of the property, with a height limit of one hundred thirty (130) feet. The approval of the conditional use permit followed a series of public hearings and intensive discussions and negotiations between Tulane, residents of surrounding neighborhoods and City officials. Unfortunately, because of Hurricane Katrina, Tulane could not pursue the development that was permitted by the conditional use ordinance within the applicable time frame set forth in the Comprehensive Zoning Ordinance.

Although Tulane has not pursued the development contemplated by the conditional use permit, Uptown Square (now known as University Square) is a vital and important part of Tulane's campus. It currently includes 80,000 square feet of occupied space utilized as commercial/retail space and institutional use, including university administrative offices and a medical clinic.

The applicable FLUM has designated a portion of the site as Institutional, and the remainder of the site either as Residential Low Density Pre-War or Parkland and Open Space for Square 19A. Tulane has requested that the FLUM be amended to designate the entire property as Mixed-Use High Density, which corresponds to the current zoning classification of the property, as well as the zoning classification in place when Tulane acquired the property.

The Staff Report, however, recommends that the site be classified as Mixed-Use Medium Density, solely because of prior objections to Tulane's lawful development of the property. The Staff Report's recommendation constitutes a pre-emptive down-zoning of property made in anticipation of potential concerns of certain area residents; it simply is not warranted under the circumstances. In fact, the Staff Report acknowledges that the site is suitable for a range of uses under Mixed-Use High Density because of its proximity to Leake Ave and Broadway St., its historical use as a molasses factory and then Uptown Square Shopping Center, its current use as University Square and planned future mixed-use redevelopment of the property. The Staff Report references past negotiations with surrounding residential neighborhood concerning maximum height and density requirements as the sole reason for recommending a medium density classification, but those negotiations resulted in the approval of a conditional use permit that allowed for a high, not a medium, density mixed-use development.

Tulane purchased the property because it allowed for high density mixed-use development, and Tulane then obtained the right to proceed with a high density mixed-use development. It is simply inappropriate to attempt to take away Tulane's legal development rights because there were prior concerns that were taken into account in the approval process for Tulane's high density mixed-use development of the property. Tulane participated in the appropriate process under the current Comprehensive Zoning Ordinance regarding the development of University Square and will participate in the appropriate process under the Draft Comprehensive Zoning Ordinance, once it is adopted, to engage its neighbors in discussions regarding the future use of the subject site, but those

discussions should occur in the context of the appropriate FLUM classification for the property, which is Mixed Use High Density.

**Tulane's Requested Map Amendments to Re-Designate
Properties Adjacent to Uptown Campus as Institutional**

Tulane has made map amendment requests to change the FLUM designation of several of its properties that are directly adjacent to its main, uptown campus from Residential Medium Density Pre-War or Residential Low Density Pre-War to Institutional.

General Comments

Tulane has requested that the land use designation of these properties be changed to Institutional in order to correspond to the land use designation for the remainder of the uptown campus. The subject properties are owned by Tulane and used for university operations in furtherance of Tulane's educational mission. To the extent that Tulane's uptown campus is classified as an Institutional use and these properties comprise portions of Tulane's uptown campus, they should have the same land use classification as the remainder of the uptown campus.

For each map amendment request, the Staff Report recommends that Tulane should submit a campus development plan. The Master Plan, however, does not contemplate or require specific development plans with respect to properties, and Tulane's request was not made in the context of any such plans. In addition, the proposed amendments have no effect on the parking plan that Tulane files with the CPC in accordance with the requirements of the current Comprehensive Zoning Ordinance and bear no relation to any specific proposed or planned facility. Again, the purpose of the amendments is simply to obtain consistency in the classification of the properties that comprise Tulane's uptown campus.

The Staff Report further cites an alleged "piecemeal encroachment" of Tulane into surrounding neighborhoods. This is an inappropriate characterization of Tulane's lawful use of property that are adjacent to or part of its Uptown campus. Out of approximately thirteen (13) properties covered by Tulane's amendment requests, Tulane has owned nine (9) properties for approximately forty (40) years or more and Tulane's acquisition of six (6) of the properties pre-dates the current zoning code.

Tulane's requests to change to the Institutional designation are also intended to more accurately reflect the sites' current uses. The Staff Report recommends adopting Tulane's request to change the designation of a site at 6324 S. Claiborne (request number PD 3 – 7.6.R) from Residential Low Density Pre-War to Institutional, but opposes Tulane's requests regarding the following properties.

Specific Properties

Tulane reiterates its general comments set forth above and offers the following additional comments and information on certain properties in and around its Uptown campus.

1. PD 3 – 7.3.R; site located at 1036 Broadway; change requested from Residential Medium Density Pre-War to Institutional.

This site is currently a vacant lot. Before the building that was originally on the lot was demolished, Tulane applied for and received a conditional use permit to renovate the structure for future use as a college police substation. Tulane still plans to use the site as a campus police substation and will re-apply for a Conditional Use permit once new site construction plans are finalized.

Tulane's request for re-designation of the site to Institutional is intended to more accurately reflect the future university use of the site as a campus police station. This re-designation is particularly appropriate at this site considering that all four corners of the Broadway and Zimple intersection contain non-residential properties supporting or targeting university operations. While the Staff Report concedes that the subject site would be suitable for a range of uses under Institutional due to its proximity to Tulane's main Uptown campus and proposed future use, the Staff Report still recommends retaining the current designation of Residential Medium-Density Pre-War. The Staff Report cites a concern that Broadway St. often is perceived by area residents as marking a transition between the university and the residential neighborhood of East Carrollton.

But, respectfully, this concern is unfounded in light of the other non-residential properties supporting university operations at the intersection at issue as well as in the adjoining block. Simply put, Tulane's proposed use of the site as a campus police substation is in line with the current use of other sites in proximity, and the Institutional designation most accurately reflects that use. The FLUM should accurately reflect the reality of the site's intended use.

2. PD 3 – 7.4.R; site located at 1030 Audubon; change requested from Residential Medium Density Pre-War to Institutional.

The site is currently used as the Accounting Office for Tulane. Again, Tulane's request for re-designation of the site to Institutional is intended to more accurately reflect its use as an Accounting Office.

3. PD 3 – 7.5.R; site located at 1315, 1319, 1323, and 1327 Broadway St.; change requested from Residential Medium Density Pre-War to Institutional.

Except with respect to 1323 Broadway, Tulane's ownership of its properties on this block dates to 1939. Tulane's request is intended to more accurately reflect current and future use of the parcels as supporting university operations. The Staff Report points out that the sites are immediately adjacent to existing Institutional land uses and that the two parcels owned by the university (1315 and

1323) may be suitable for a range of uses under Institutional, but the Staff Report recommends against Tulane's requested change.

Like Tulane's other properties adjacent to the university for which Tulane has made similar requests, these properties are already being used for university operations in harmony with the surrounding residences. The Staff Report's concern in this regard seems misplaced in light of the reality of the site's use.

4. PD 3 – 7.7.R; site located at 6320 Clara St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1960. Currently the site is used to support university staff housing.

5. PD 3 – 7.8.R; site located at 6318-6322 and 6326-6328 Magnolia St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired these properties in 1958. Currently, the sites are vacant.

6. PD 3 – 7.9.R; site located at 6324 S. Robertson Street.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1953. Currently, the site is vacant.

7. PD 3 – 7.10.R; site located at 6325 Freret St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1945. Currently, the site has one single family structure which serves as the University Law Annex Building.

8. PD 3 – 7.11.R; site located at 6321 Freret St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1951. It currently is used for faculty/staff housing.

9. PD 3 – 7.12.R; site located at 6309 Freret St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1972. It currently is used for faculty/staff housing.

10. PD 3 – 7.13.R; site located at 6301 Freret St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1973. It currently is used for housing for visiting scholars.

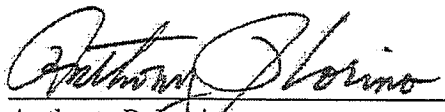
Conclusion

Tulane firmly supports the goals of the Master Plan, but for the reasons set forth above, Tulane believes that its requested amendments to the Master Plan are appropriate and justified.

On behalf of Tulane University, I again would like to thank the City Planning Commission members and staff for their diligent efforts in getting the Master Plan adopted and in reviewing the requested amendments to it.

Sincerely yours,

The Administrators of the Tulane Educational Fund
(Tulane University)

By: 
Anthony P. Lorino
Its: Chief Financial Officer and Senior Vice-
President for Operations